

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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40 MORTIMER LLC a.k.a. OV 40 MORTIMER LLC,

Plaintiff,

-against-

GENERAL STAR INDEMNITY COMPANY.

Defendant.
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Docket No.:

COMPLAINT

Jury Trial Demand

Plaintiff, by its attorneys, Aboulafia Law Firm LCC, as and for its Complaint, herein alleges upon information and belief as follows:

1. The jurisdiction of the Court is invoked pursuant to 28 USC §1332(c)(1) as the matter in controversy exceeds the sum or value of \$75,000, and is between citizens of different States.
2. At all times hereinafter mentioned, Plaintiff 40 MORTIMER LLC a.k.a. OV 40 MORTIMER LLC , is a foreign limited liability company with an ownership interest and insurable interest in the property located at 40 Mortimer St., Torrington, CT 06790 (“subject premises”).
3. That Plaintiff 40 MORTIMER LLC a.k.a. OV 40 MORTIMER LLC maintains a mailing address of 234 10th Avenue, New York, NY 10011.
4. That all of the members of Plaintiff 40 MORTIMER LLC a.k.a. OV 40 MORTIMER LLC are residents of New York County, and none of its members are a resident of the State of Connecticut.
5. At all times hereinafter mentioned, Defendant GENERAL STAR INDEMNITY COMPANY (“General”) was and still is a company authorized, licensed, admitted and/or engaged in the business of providing insurance and being an insurer in the State of Connecticut, and located at 120 Long Ridge Rd, PO Box 10354, Stamford, CT 06904.


6. At all times hereinafter mentioned, Defendant was and is authorized by the Connecticut Insurance Department to engage in the business of insurance in the State of Connecticut and to issue policies of insurance including the policy herein sued upon.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST
DEFENDANT**

7. On or about January 22, 2022, Defendant made, issued and/or renewed to Plaintiff for good and valuable consideration a certain policy of insurance bearing policy number IMA401747 wherein and whereby Defendant did insure the subject premises.
8. That on or about January 31, 2022, while said policy and/or a renewal of said policy was in full force and effect, Plaintiff suffered a loss by a covered peril of the property insured by Defendant.
9. As a result of the loss, Plaintiffs have sustained damages in the sum of at least \$93,450.00.
10. As a result of Defendant's breach of contract, Plaintiff has been damaged in the sum of at least \$93,450.00, with interest from January 31, 2022.

WHEREFORE, it is respectfully requested that Plaintiff have judgment against Defendant on the First cause of action in the sum of at least \$93,450.00, with interest from January 31, 2022, and for costs and disbursements of this action.

Dated: White Plains, New York
August 31, 2022



Matthew S. Aboulafia, Esq.
Aboulafia Law Firm LLC
Attorneys for Plaintiff
170 Hamilton Ave, Suite 203
White Plains, NY 10601
(212) 684-1422